

REMARKS/ARGUMENTS

Claims 1, 11 and 13 have been amended. Claim 14 has been cancelled without prejudice. Claims 1 through 13 and 15 through 20 remain in the application.

Claims 1, 3 through 6 and 8 through 10 were rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 5,667,261 to Weinerman. Applicant respectfully traverses this rejection.

U.S. Patent No. 5,667,261 to Weinerman, et al discloses a handle operated heavy duty draw latch with safety catch.

In contradistinction, claim 1, as amended, claims a clamp having a base, a handle connected to the base, and a pin rotatably supported within the handle. The clamp also includes a bracket pivotally arranged with respect to the handle. A lever having an orifice through a surface, wherein one end of the bracket is arranged through the orifice. The clamp also includes a spring arranged between the handle and the pin.

Weinerman, et al does not disclose, teach, suggest or anticipate the present invention of claim 1, as amended. Specifically, Weinerman, et al '261 does not disclose a clamp having a lever with an orifice through a surface of the lever. Furthermore, it does not disclose a clamp including a bracket wherein one end of the bracket is arranged through the orifice of the lever. Nowhere does Weinerman, et al '261 disclose, teach or even suggest any of the limitations as described above. Therefore, as these limitations claimed by Applicant in claim 1, as amended, are not disclosed, taught or suggested in Weinerman, et al '261, the Weinerman, et al '261 reference cannot be used as a §102 or §103 reference against Applicant's claim as amended. Hence, it is respectfully submitted that Weinerman, et al '261 fails to disclose all of the limitations claimed by Applicant in claim 1, as amended. Therefore, it is respectfully submitted

that claim 1, as amended, and the claims dependent therefrom, overcome the rejection under 35 USC §102(b) and are allowable over this rejection.

Furthermore, it is respectfully submitted that the amendments made to claim 1 do not represent any new subject matter that would require further searching and hence, claim 1, as currently amended, should be allowable in the form of an amendment after final rejection. All relevant prior art has been located in previous searches and thus any further searching would just delay the issuance of claim 1, as amended.

Claims 1 through 3, 6, 7, 11, 12, 18 and 19 were rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 4,743,052 to Stammreich. Applicant's respectfully traverses this rejection.

U.S. Patent No. 4,743,052 to Stammreich, et al discloses a tension latch assembly.

In contradistinction, claim 1, as amended, claims a clamp having a base, a handle connected to the base, and a pin rotatably supported within the handle. The clamp also includes a bracket pivotally arranged with respect to the handle. A lever having an orifice through a surface, wherein one end of the bracket is arranged through the orifice. The clamp also includes a spring arranged between the handle and the pin.

Stammreich, et al '052 does not disclose, teach, suggest or anticipate the present invention of claim 1, as amended. Specifically, Stammreich, et al '052 does not disclose a lever having an orifice through a surface thereof. Furthermore, it does not disclose a clamp having a bracket pivotally arranged with respect to a handle wherein one end of the bracket is arranged through the orifice of the lever. Nowhere does Stammreich, et al '052 disclose, teach or even suggest any of the limitations as described above. Therefore, as these limitations claimed by Applicant in claim 1, as amended, are not disclosed, taught or suggested in Stammreich, et al the

'052 reference cannot be used as a §102 reference against Applicant's claim as amended. Hence, it is respectfully submitted that Stammreich, et al '052 fails to disclose all of the limitations claimed by Applicant in claim 1, as amended. Therefore, it is respectfully submitted, that claim 1, as amended, and the claims dependent therefrom, overcome the rejection under 35 USC §102(b) and are allowable over this rejection.

With regard to independent claim 11, Applicant has amended independent claim 11 to include the allowable subject matter of dependent claim 14. Therefore, claim 11, as amended, and the claims dependent therefrom overcome the rejection under 35 USC §102(b) and are allowable over this rejection.

Claims 13 through 17 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


Dependent claim 13 has been rewritten in independent form including all of the limitations of the base claim and any intervening claims. Therefore, claim 13, as amended, is allowable.

Claim 20 was allowed.

If Applicant may be of any further assistance or provide any other information in the prosecution of this application, the Examiner is requested to call the undersigned at (248) 364-2100.

Respectfully submitted,

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